

December 16th, 2025
8757

Ms. Breeka Li Goodlander, PWS, CERPIT
Conservation Director
Town of Franklin Conservation Commission
355 East Central Street
Franklin, MA 02038

RE: 80 Spring Street
MassDEP File No. 159-1323
Notice of Intent Peer Review

Dear Ms. Goodlander:

We have received review comment responses from BETA Group, Inc. dated December 4, 2025, respectively, regarding the above-mentioned project. We have addressed all plan modifications in the latest revision of plans and have summarized the changes below. The review comments are *italicized* with the responses from Dillis & Roy below them in **bold**.

RESPONSES TO TOWN COMMENTS:

ADMINISTRATIVE AND PLAN COMMENTS:

PLAN AND GENERAL COMMENTS:

A1. MassDEP has not issued a file number as of this writing.

CDG Response:

As of December 11, 2025, MassDEP has issued NOI Number 159-1323 to the project site. Additionally, per the Executive Office of Energy and Environmental Affairs online portal detailing Wetlands NOI Project Information for the site, MassDEP lists no technical comments for the submittal.

A2. For The following elements are missing from the provided plan set:

a. A north arrow reference should be provided on the plans per Bylaw Regulations Section 7.18.1.3.

CDG Response:

The Plan has been updated showing the north arrow now refers to Massachusetts Coordinate System Grid North.

b. Existing and proposed vegetation referenced in Bylaw Regulation Section 7.18.1.5 and 7.18.1.6 should be included on the plans, including individual trees/shrubs with a diameter greater than 1” proposed for removal. It is BETA’s understanding that the Commission generally increases the size threshold for tree location based on the Project and therefore defers to the Commission on this matter. The existing tree line should be depicted on the plans.

CDG Response:

The Plan has been updated to include the existing treeline. The entirety of the site is presently wooded.

c. A Construction Sequence with all proposed activities within Jurisdictional Areas should be provided on the plans per Bylaw Regulations Section 7.18.1.14.

CDG Response:

The Plan has been updated to include a construction sequence underneath the site disturbance notes on the lower left side.

d. A PLS stamp should be provided on the plans to verify existing conditions information as accurate.

CDG Response:

The Plan has been endorsed by a MA-registered PLS as requested.

e. A survey benchmark should be provided on the plans.

CDG Response:

A benchmark located on the northeast corner of the site has been shown in plan view.

A3. Impacts to both the 25-50-foot and 50-100-foot Buffer Zone should be quantified separately and noted on the plans.

CDG Response:

The Plan has been updated to include a tabulation of areas of disturbances on the site, listing areas altered in each buffer zone area, the amount of impervious area planned to be within each buffer zone area, and the percentage of each buffer zone area onsite that is planned to be impervious.

WETLAND RESOURCE AREAS AND REGULATORY REVIEW:

RESOURCE AREA AND BOUNDARY COMMENTS:

BETA conducted a Site visit on November 25, 2025, to assess existing conditions and to review Resource Area delineations, focusing on the definitions and methodologies referenced under the Act and the Bylaw. Review of Resource Area delineations included all flagged areas on the Site, with a focus on areas closest to where work is

*proposed. BETA concurs with the Resource Area boundaries as flagged in the field based on the presence of hydrophytic vegetation including highbush blueberry (*Vaccinium corymbosum*), red maple (*Acer rubrum*), cinnamon fern (*Osmunda cinnamomea*), and sweet pepperbush (*Clethra alnifolia*); and indicators of hydrology including hydric soil characteristics and saturation. At select locations, FACW vegetation was observed upgradient of the flagged wetland boundary; however, hydric soils were not observed.*

CDG Response:

Acknowledged.

CONSTRUCTION & MITIGATION COMMENTS:

W1. Proposed erosion controls include use of silt fence and straw wattles. Silt fence and straw are not permitted erosion control measures in the Town of Franklin (Pg. 13 of Town of Franklin Best Development Practices Guidebook). The Applicant should coordinate with the Conservation Commission to determine the appropriate erosion control measures for the Site. Twelve (12)-inch diameter compost filter tubes may be an appropriate option commensurate with the scope of the Project.

CDG Response:

The Plan has been updated to change the erosion control barrier to be a 12-inch diameter filter sock, and all references of said barrier have been updated to be consistent with this notation where specified.

W2. Provide specifications of the seed mixture(s) proposed for stabilization of disturbed areas within Buffer Zone, including any areas that are proposed to be lawn. All areas of proposed lawn should be demarcated on the Project plans. BETA recommends that native species with wildlife habitat value be proposed within Buffer Zone where lawn is not required as mitigation for Buffer Zone clearing.

CDG Response:

The Plan has been updated to include a seed mixture specification in the site disturbance notes on the left side of the page and notes have been added to the site plan demarcating lawn areas. Lawn areas are intended for all areas within the limit of work outside the 50-foot Buffer Zone unless otherwise occupied by other planned site features. Additionally, the area of the 50-foot Buffer Zone within the limit of work is planned to be reseeded with New England Wildflower Mix along with native shrubbery as listed in the restoration area planting schedule.

W3. Material storage and laydown areas should be depicted on the Project plans and located outside of jurisdictional areas to the extent feasible.

CDG Response:

The Plan has been updated to include a materials storage and laydown area within the front lawn of the project site, outside the 100-foot Buffer Zone.

W4. It is not anticipated that groundwater will be encountered when excavating for the pool; however, the Commission could include a Special Condition in the Order of Conditions requiring the submission and approval of a dewatering plan prior to discharge in the event that groundwater is encountered.

CDG Response:

Should groundwater be encountered upon excavation for the planned pool, the Contractor shall submit a dewatering plan to the Conservation Commission.

WPA PERFORMANCE STANDARDS COMMENTS:

The Project does not propose any work within Resource Areas Subject to Protection under the Act; therefore, the Project is not required to comply with Performance Standards under the Act.

CDG Response:

Acknowledged.

BYLAW REGULATORY COMMENTS:

W5. A Construction Sequence should also be provided on the Plans per Bylaw Regulation Section 7.15.1.

CDG Response:

As noted previously in response to comment A2. c, the Plan has been updated to include a construction sequence underneath the site disturbance notes on the lower left side.

W6. The Applicant should provide an Erosion & Sedimentation Control Plan which includes contact information of the person(s) responsible for inspecting and maintaining erosion controls, the requirement to inspect erosion controls weekly or following significant rain events, and all other requirements listed in Section 7.12.1 of the Bylaw Regulations. These notes could be included on the proposed conditions plan.

CDG Response:

The Plan has been updated to include the required contact information for all parties involved. It is intended for the Applicant or their designated agent to be responsible for inspecting and maintaining erosion controls.

W7. *According to Section 7.9.1 of the Bylaw, the Project Narrative should include the following missing content:*

- a. All activities required to construct the Project;*
- b. The entity performing the work; and*
- c. When the proposed activities will be completed.*

CDG Response (W7. a. – c. consolidated):

**The requested items have been added to the Project Narrative as requested.
The revised Project Narrative has been enclosed with this letter.**

W8. *Section 4.4.1 of the Bylaw states that “mitigation offsets may be required by the Commission when the applicant proposed that more than 30% of the 50-100-foot Buffer Zone Resource Area is proposed to be impervious surface.” The Applicant should provide the Commission with calculations of proposed impervious area within the 50-100-foot Buffer Zone as it compares to existing conditions to allow the Commission to determine if additional mitigation measures are warranted.*

CDG Response:

As noted previously in response to comment A3, a tabulation of areas of disturbances on the site has been included on the Plan, detailing this information for the percentage of impervious area that is planned to be within the 50–100-foot buffer zone area onsite.

STORMWATER MANAGEMENT:

The proposed Project is not subject to the MassDEP Stormwater Management Standards as a single-family home construction project.

CDG Response:

Acknowledged.

We trust this meets your needs at this time. If you have any questions or require any additional information. Please contact the undersigned.

Regards,

DILLIS & ROY

Civil Design Group, Inc.



Seth Donohoe
Vice President

PROJECT NARRATIVE

2.0 Project Narrative

2.1 *Project Type*

The proposed project is the construction of a single-family home with supporting infrastructure.

2.2 *Site Description*

The property (referred to herein as “the site”) is located on the westerly side of Spring Street in Franklin, Massachusetts. The site is undeveloped woodland, and identified as lot 2 in Plan Book 732 Pg. 87. The site is abutted by vacant lots on all sides, with the exception of a large solar array on the western side. The site is identified as Franklin Assessor Parcel ID 310-002-003 which contains approximately 3.5 acres according to the record plan.

2.3 *Proposed Project*

The proposed project is the construction of a single-family home with supporting infrastructure, to include a private well, private sewage disposal system, pool and associated pool house. In accordance with local regulations, all structures are setback greater than 50-feet from the wetlands and a minimum of 25-feet of undisturbed native vegetation will remain between the project area and wetlands. The onsite sewage disposal system and private well are located outside of the 100-foot wetland buffer.

The activities within the Buffer Zone will include installing the proposed erosions controls, clearing within the approved limit of work constructing the proposed structures, completing the proposed native Buffer Zone planting area, and loaming/seeding the proposed lawn area.

It is anticipated that the applicant’s contractor, Thompson Hill Associates, will be the entity performing the work. The estimated completion of the project is 1-year from the issuance of the Order of Conditions.

2.4 *Resource Areas*

The site includes Bordering Vegetated Wetlands (BVW) and an associated 100-foot Buffer Zone.

2.4.1 Bordering Vegetated Wetland

The project does not include the disturbance of any BVW on the site.

2.4.2 Bordering Land Subject to Flooding

Not applicable. The site does not contain Bordering Land Subject to Flooding per FIRM Panel 25021C0304F effective July 8, 2025.

2.4.3 Vernal Pools

MassMapper data does not show any certified or potential vernal pools on the project site.

2.5 **Mitigation Measures**

2.5.1 Erosion Control

Erosion and sediment controls have been incorporated in the design of the layout with the objective of retaining sediment on site, filtering and reducing storm water discharge and protecting wetland resource areas and undisturbed areas. A combination of stabilization and structural practices are included to meet the objective, as described in detail below. The following is a list of common temporary and permanent structural erosion control devices, which will be applied:

2.5.1.1 Straw wattles will be installed up gradient from areas of bordering vegetated wetlands that may receive runoff from areas disturbed by construction. The straw bales and silt fences will be installed according to the manufacturer's instructions and will be maintained throughout the construction process.

2.5.1.2 The sediment control barrier will be installed to prevent the migration of soil materials under, around, or over the fencing. Sediment will be removed from behind the barrier when the accumulated amount has reached approximately half of the original installed height of the barrier. The overall condition of the silt fence and straw wattles will be inspected and maintained by the general contractor to maintain the level of sufficiency.

2.5.1.3 Rock construction entry pads will be installed to reduce any off site tracking. Street sweeping will also be utilized in an effort to reduce pollutants in the stormwater. Areas that will not be constructed for some time should not be cleared until the area is ready for development.

Upon completion of construction, all disturbed areas shall be loamed and seeded, or landscaped. The erosion and sedimentation controls shall be removed only upon final stabilization of the site and/or after the Conservation Commission has issued a Certificate of Compliance for the project.

2.6 *Regulatory Compliance*

In accordance with 310 CMR 10.01(2), Dillis & Roy Civil Design Group, Inc. has outlined the proposed project's compliance with the Wetland Protection Act regarding the following eight (8) interests of the Act:

- 2.6.1 **Private and Public Water Supplies** – The site is to be serviced by a private well. The proposed alterations will meet or exceed the Town of Franklin Regulations for Private Wells. Mass Mapper shows there are no IWPA's, Zone Is, Zone IIs, or surface water protection areas within 1,000 feet of the site. Due to the site being removed from public wellhead and surface water protection areas along with the proposed well exceeding local regulations, the proposed project will not adversely impact this Interest of the Act.
- 2.6.2 **Groundwater Supply** – The proposed project is the construction of a single family home. The rear of the proposed dwelling is at grade and above the 3-foot deep estimated seasonal high groundwater table depicted on the sewage disposal system plan for the site. The construction of the single family home will not adversely impact the groundwater supply.
- 2.6.3 **Flood Control** - The project is located outside of the 100-year flood elevation and does not involve any placement of fill within Bordering Lands Subject to Flooding as defined in 310 CMR 10.57(2)(a).
- 2.6.4 **Storm Damage Prevention** – Erosion control barriers will be installed and maintained down gradient to all proposed work.
- 2.6.5 **Prevention of Pollution** - The proposed project does not intend to use, store, or generate any potentially toxic or hazardous materials

on the site. In the unlikely event that, toxic materials are uncovered unexpectedly during construction, disposal of all such materials will comply with applicable rules and regulations.

2.6.6 **Protection of land containing shellfish** - Not applicable. The site is not in proximity to land containing shellfish.

2.6.7 **Protection of Fisheries** - Not applicable.

Regulatory Compliance:

Bordering Vegetated Wetland (BVW) 310 CMR 10.55(4)

The general performance standards for a Bordering Vegetated Wetland have been met as the proposed activities do not involve the filling, dredging or alteration of a BVW. Siltation control barriers are provided upgradient of the BVW to prevent indirect alteration during construction.

Compliance with Local Wetland Bylaw

The project has been designed in accordance with the Franklin Wetland Bylaw 25-foot no disturbance zone and the 50-foot no build zone.

Protection of Wildlife Habitat

The current Massachusetts Natural Heritage Atlas indicates that the site is not located within a Priority Habitats of Rare Species or Estimated Habitats of Rare Wildlife. A filing with NHESP is not required.